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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF ARIZONA
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9 United States of America,

10 Petitioner,

11 v.

12 Gerald L. Kleven,

13 Respondent.

MC-08-00072-PHX-JAT

ORDER

14 Upon consideration of the Petition to Enforce Internal Revenue Service Summons, the
15 Motion for Order to Show Cause, and the Declaration of Revenue Officer Cynthia R. Luders,

16 IT IS HEREBY ORDERED Granting Petitioner's Motion for a Show Cause Hearing
17 (Doc. #2).

18 IT IS FURTHER ORDERED that the Respondent, Gerald L. Kleven, shall appear before
19 the District Court of the United States for the District of Arizona in that branch thereof presided
20 over by the Honorable James A. Teilborg, the undersigned, in the Sandra Day O'Connor United
21 States Courthouse, 401 W. Washington St., Phoenix, AZ 85003, 5th Floor, Courtroom No. 503,
22 on Monday, October 20, 2008 at 3:30 p.m., to show cause why Respondent should not be
23 compelled to comply with the Internal Revenue Service Summons served on him by Revenue
24 Officer Cynthia R. Luders as set forth in the petition and the declaration; and

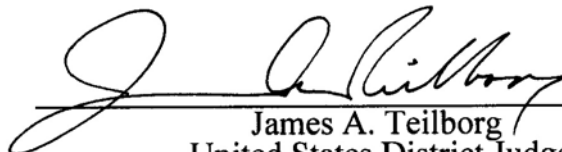
25 IT IS FURTHER ORDERED that a copy of this Order, together with one copy each of
26 the Petition to Enforce Internal Revenue Service Summons, the Motion for Order to Show
27 Cause, the proposed Order Enforcing Summons, and the Declaration of Revenue Officer Cynthia
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1 R. Luders, shall be personally served on Respondent by an official of the Internal Revenue
2 Service on or before August 22, 2008; and

3 IT IS FURTHER ORDERED that Respondent shall file, no later than September 26,
4 2008, with the Clerk of the Court and serve on the attorneys for the United States, c/o Robert K.
5 Lu, Assistant U.S. Attorney, 40 North Central Ave., Suite 1200, Phoenix, Arizona, 85004, a
6 written response to the petition, if any. Any defenses to the petition or motion the Respondent
7 desires to make in opposition shall be made in this written response and shall be supported by
8 appropriate affidavits. Only those issues raised by motion or brought into controversy by the
9 responsive pleading shall be considered by the Court and any uncontested allegations in the
10 petition shall be deemed admitted.

11 IT IS FURTHER ORDERED that Petitioner shall file any reply by October 3, 2008.

12 DATED this 7th day of August, 2008.

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16 James A. Teilborg
United States District Judge
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